

TOLL BRIDGE PROGRAM OVERSIGHT COMMITTEE

CALTRANS BAY AREA TOLL AUTHORITY CALIFORNIA TRANSPORTATION COMMISSION

MEETING MINUTES

January 20, 2009, 10:00 AM – 1:00 PM
MTC/BATA Offices, The Fishbowl Conference Room,
101 Eighth Street, Oakland

Attendees: TBPOC Members: Will Kempton Steve Heminger, and John Barna
PMT Members: Tony Anziano, Andrew Fremier, and Stephen Maller
Participants: Michele DiFrancia, Beatriz Lacson, Richard Land, Peter Lee,
Brian Maroney, Dina Noel, Bijan Sartipi, Jon Tapping, Ken Terpstra,
and Jason Weinstein

Convened: 10:02 AM

Items		Action
1.	CHAIR'S REPORT <ul style="list-style-type: none">• Will Kempton, the Chair, officially opened the first TBPOC meeting of year 2009 and turned it over to John Barna who made the following announcement:<ul style="list-style-type: none">○ John Barna will be leaving the CTC and TBPOC at the end of February to pursue an opportunity with AECOM beginning March 2009.<ul style="list-style-type: none">➤ He indicated that he leaves with mixed emotions, that he has enjoyed working with the TBPOC and is grateful for the knowledge and experience gained in the process.➤ Andre Boutros, CTC Chief Delivery Officer, will act as Interim Director until a permanent replacement is identified.○ Will Kempton and Steve Heminger acknowledged John Barna's significant contributions to the Toll Bridge Program, noting that his counsel and input would be missed and that they look forward to continuing their positive	

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Items	Action
<p>relationship.</p> <ul style="list-style-type: none">• Will Kempton gave an update on the State budget.○ The State is getting close to a resolution on the budget crisis.○ The lack of financing sources (i.e., long-term bonds and short-term loans) could suspend Proposition 1B projects, defer allocations for remaining projects, and has the potential impact of slowing down ongoing projects worth \$1.8 billion; non-Proposition 1B projects are expected to continue.○ A meeting on the Pooled Money Investment Account was held on Friday, January 16, where it was decided to release \$650 million to cover the State through the February pay day.○ If a budget is not approved by February 1st, the “spigot” is likely to be turned off entirely, including Proposition 1B work.○ The Governor is committed to bringing \$1.2 billion of construction work to the Bay Area in 2009, which would create approximately 22,000 jobs.	
<p>2. CONSENT CALENDAR</p> <ul style="list-style-type: none">a. December 23, 2008 TBPOC Meeting Minutes<ul style="list-style-type: none">• Andy Fremier presented, for TBPOC approval, the December 23, 2008 TBPOC Meeting Minutes.b. 2009 TBPOC Meeting Calendar<ul style="list-style-type: none">• The 2009 TBPOC Meeting Calendar is in the process of being revised.○ The March 5 Legislative Update/TBPOC Meeting may need to be rescheduled.c. The following West Approach Contract Change Orders (CCO's)	<ul style="list-style-type: none">• The TBPOC APPROVED the December 23, 2008 TBPOC Meeting Minutes

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Items	Action
<p>were presented for TBPOC approval:</p> <ol style="list-style-type: none"> 1) CCO 139-S1: \$1,196,708 for additional time extensions for delays on the West Approach project incurred from April 20, 2008 through November 20, 2008. 2) CCO 149-S2: \$150,226.60 for added stage construction required for the eastbound mainline roadway construction due to realignment of the ST6D line. 	<ul style="list-style-type: none"> • The TBPOC APPROVED the following items, as presented: <ul style="list-style-type: none"> ○ West Approach CCO 139-S1 (\$1,196,708) ○ West Approach CCO 149-S2 (\$150,226.60)
<p>3. PROGRESS REPORTS</p> <ol style="list-style-type: none"> a. December 2008 Monthly Progress Report <ul style="list-style-type: none"> • Andy Fremier reported that the PMT approved the December 2008 Monthly Progress Report, through delegated TBPOC authority, on January 6, 2009 and requested confirmation of this approval. b. Draft January 2009 Monthly Progress Report <ul style="list-style-type: none"> • Andy Fremier informed the TBPOC that the draft January 2009 Monthly Progress Report is in the process of being reviewed. As soon as updated expenditure data and the latest comments are incorporated, the final version will be approved by the PMT through delegated TBPOC authority. ○ Mail-out is scheduled for February 4, 2009. • It was noted that the next quarterly report (4th Quarter 2008) will be distributed next week for review. 	<ul style="list-style-type: none"> • The TBPOC confirmed APPROVAL of the December 2008 Monthly Progress Report through delegated authority to the PMT.
<p>4. PROGRAM ISSUES</p> <ol style="list-style-type: none"> a. Draft 3rd Quarter 2008 Program Risk Management Report (RMR) Update <ul style="list-style-type: none"> • Jon Tapping gave a presentation on 	<ul style="list-style-type: none"> • Include the logos of BATA,

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Items	Action
<p>“Q3 2008 TBPOC Risk Management Briefing” covering a summary of risk management (RM) activities during the 3rd Quarter 2008, including RM accomplishments, risk developments in the current quarter, risk response actions, RM summaries of the individual contracts, potential draw on program contingency, and outlook for the next quarter. Discussion/comments included:</p> <ul style="list-style-type: none">○ Steve Heminger cautioned about using the term “success” in connection with contracts like E2-T1, which may have been completed under the RM budget but encountered problems initially that caused a drain on resources.<ul style="list-style-type: none">➤ The question was raised as to whether the budgets for the individual contracts are being set too high.➤ It was suggested that these budgets might need to be reassessed.○ Continuing claims resolution on the West Approach contract will allow the project to close out without claims at the end of April 2009.○ For the SAS contract, the TBPOC was assured that the challenges on the Hinge K coordination are being evaluated; also, that the contract change orders approved to mitigate cost/schedule risks (green tag, tack weld, shop space) have been beneficial to risk management.○ The TBPOC expressed concern over the \$730M potential draw trend on program contingency.○ The SAS schedule risk drives the program RM cost. Schedule delays can result in cost increases	<p>CTC and the Department on the title page of all Program presentations.</p>

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Items	Action
<p>in time-related overhead (TRO), equipment, personnel, etc.</p> <ul style="list-style-type: none"> ➤ Corridor schedules are dependent on the SAS schedule. ➤ Developing an opportunity schedule in partnership with the Contractor is crucial to managing risk. ○ It was noted that an improved partnership between the TBPOC, design consultant, and contractor for the SAS contract would be an effective way of reducing risk. <p>b. 2009 Legislative Update Draft Report Update</p> <ul style="list-style-type: none"> • Tony Anziano provided the status of the report and requested TBPOC guidance on the following: <ul style="list-style-type: none"> ○ The need for a separate report for the Legislature, or would the 4th Quarter Report suffice. ○ The need for a Legislative Update and if so, where should it be held – Sacramento or the Bay Area. <ul style="list-style-type: none"> ➤ It was the consensus that a comprehensive legislative briefing is important. ➤ If the Bay Area Caucus attracts a larger legislative attendance as it has in the past, the briefing ought to coincide with it. • The TBPOC suggested that a legislative tour of the project would be very beneficial, and the sooner the better. 	<ul style="list-style-type: none"> • The TBPOC agreed that the format of the Legislative Update Report could be revised to be as efficient as possible as determined by the Communications Partnership Team (CPT). This could include using the 4th Quarter Report in its place. • Schedule a legislative tour of the project and give an update at Pier 7 with a presentation of the draft 4th Quarter 2008 Report.
<p>5. SAN FRANCISCO-OAKLAND BAY BRIDGE UPDATES</p> <p>c. Self-Anchored Suspension (SAS) Superstructure</p> <p>1) TBPOC/ABF Mitigation and Acceleration Update</p>	

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Items	Action
<ul style="list-style-type: none"> • Andy Fremier gave an update on the topics discussed at the December 2008 TBPOC/ABF Partnering Session. Discussion/comments included: <ul style="list-style-type: none"> ○ The Department's Legal Counsel is working on options to remove any contractual impediments to a full partnership. ➤ Such a positive working relationship would provide a more timely resolution of design/shop drawing/fabrication issues. ○ The TBPOC and ABF have agreed to fund the ZPMC schedule mitigation proposal to accelerate shipments of the bridge components at a 50/50 split. Upon ZPMC sign-off, ABF and the Department will request final TBPOC approval of the proposal based on the 50/50 split commitment. ○ Efforts to resolve known fabrication issues continue. A tentative settlement proposal will be presented to the TBPOC at the February 4, 2009 meeting. ○ Ken Terpstra reported that ABF and the PMT and Department members are meeting tomorrow to develop a joint opportunity schedule. ➤ Steve Heminger stressed the need for one schedule, as opposed to the current three schedules. ➤ Will Kempton will talk to Bob Luffy (ABF) before the April meeting, to let him know that the TBPOC is moving in the right direction on this item. ○ The SAS Fabrication Status as 	<ul style="list-style-type: none"> • The TBPOC and PMT to convene prior to February 4, 2009 to prepare for the meeting with ABF. • Staff to report monthly to the

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Items	Action
<p>of Dec 26, 2008 was reviewed and discussed.</p> <ul style="list-style-type: none"> ○ It was noted that the new inspection consultant is now on board and operating efficiently. • On the barge crane issue, it is important to keep the line of communication open. <ul style="list-style-type: none"> ○ TBPOC support is needed. <p>b. Yerba Buena Island Detour (YBID)</p> <p>1) Update</p> <ul style="list-style-type: none"> • Dan Himick of CCM will update the TBPOC on the bridge closure for the East Tie-In (ETI) Roll-Out/Roll-In (RO/RI) on February 4. <ul style="list-style-type: none"> ○ The team believes the project is on track for a Labor Day bridge closure, but CCM might need more time to make its final decision, with the back-up plan of the RO/RI occurring in October. <p>c. Oakland Touchdown No. 1</p> <p>1) Update</p> <ul style="list-style-type: none"> • Tony Anziano reported that progress on the project is going well. <ul style="list-style-type: none"> ○ The contractor MCM had a very positive meeting with CalOSHA recently. <p>d. Gateway Park Area (GPA)</p> <p>1) Update</p> <ul style="list-style-type: none"> • Stephen Maller gave an update on recent activities: <ul style="list-style-type: none"> ○ Visioning Conference II is set for February 4, 2009. It will provide decision makers an update on related activities since the first conference. It aims to reach a consensus on the proposed geographic 	<p>TBPOC on the SAS Fabrication Status and illustrate progress using the graphic.</p>

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Items	Action
<p>scope and next steps.</p> <ul style="list-style-type: none">○ A scoping document, referred to as the Gateway Project Study Report (GPSR), is being developed by the Working Group with BATA as contract manager, and the estimated cost of \$1M to be potentially funded by the members of the Working Group.➤ Scaling back to areas within the Program's control was suggested, while maintaining an expansive vision.○ The Department and City of Oakland are negotiating on the proposed land swap, and working toward finalizing the Maintenance Complex land transaction.	
<p>8 OTHER BUSINESS</p> <ul style="list-style-type: none">• Will Kempton, the Chair, thanked the team for past year's efforts and moving forward with the project challenges. He noted the incredible improvement in program management compared to when it first started, and how the public is well served by it.	

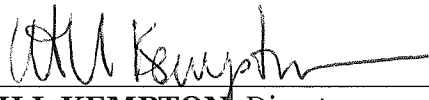
Adjourned: 12:47 PM

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MEETING MINUTES

January 20, 2009, 10:00 AM – 1:00 PM
MTC/BATA Offices, The Fishbowl Conference Room,
101 Eighth Street, Oakland

APPROVED BY:



WILL KEMPTON, Director
California Department of Transportation

2-4-09

Date



JOHN F. BARNA, Jr., Executive Director
California Transportation Commission

4 Feb 2009

Date



STEVE HEMINGER, Executive Director
Bay Area Toll Authority

2/4/09

Date